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Attorney Docket **P1150R2C2**
PATENT

EV 351 928 662 US: Express Mail Number

November 14, 2003: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Avi J. Ashkenazi
Kevin P. Baker
Paul J. Godowski
Austin L. Gurney
Melanie R. Mark
Scot A. Marsters
Robert M. Pitti**

Title: **DNA 19355 Polypeptide, A Tumor Necrosis Factor Homolog**

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 10/080,455, filed February 22, 2002, the entire disclosure of which is hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)
(Non-provisional)**

53 pages of specification
3 pages of claims
1 page(s) of abstract
11 sheet(s) of drawings
☐ formal ☒ informal



3. Declaration or Oath

☐ *(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*
An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

☒ *(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*
A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

☐ *(for Cont./Div. where inventor(s) being deleted)*
A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

☐ *(for new and CIP applications)*
An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

☒ *(for cont./div.)*
The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

☒ Cancel in this application original claims 2-26 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

| CLAIMS FOR FEE CALCULATION | | | | | |
|-------------------------------------|----|--------------|---|------------|-----------------------------|
| Number Filed | | Number Extra | | Rate | Basic Fee 37 CFR 1.16(a) |
| | | | | | \$770.00 |
| Total Claims | 13 | - 20 = | 0 | X \$18.00 | \$0.00 |
| Independent Claims | 3 | - 3 = | 0 | X \$86.00 | \$0.00 |
| Multiple dependent claim(s), if any | | | | + \$290.00 | \$0.00 |
| Filing Fee Calculation | | | | | \$770.00 |

7. Method of Payment of Fees

☒ The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$770.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this transmittal is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]

_____ A petition, fee and/or response has been filed to extend the term in the pending prior application until

_____ A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:

X Address all future communications to:

Attn: Diane L. Marschang
Customer No: 09157

Respectfully submitted,
GENENTECH, INC.

Date: November 14, 2003

By: *Diane L. Marschang*
Diane L. Marschang
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